

REMARKS

Upon entry of the present amendment, claims 1, 15, 16 and 17 will have been amended while claims 11 and 25 will have been canceled without prejudice or disclaimer of the subject matter. In view of the herein contained amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding objection and rejection set forth in the above-mentioned Official Action. Such action is now believed to be appropriate and proper and is thus respectfully requested, in due course.

In the outstanding Official Action, the Examiner asserted that the “new” title of the invention is not descriptive and required submission of a title that is clearly indicative of the invention to which the claims are directed.

In this regard, Applicants note that the Examiner originally objected to the title of the present application in the Official Action dated May 2, 2007. In response, in the reply filed on August 1, 2007, Applicants submitted a new title. In the subsequent Official Action dated October 15, 2007, the Examiner did not mention the title, but has now again objected to the “new” title as not being descriptive. The Examiner did not elaborate or provide any specific details regarding the exact nature of her objection to the title and thus Applicants are unclear as to the precise basis for this objection.

On the other hand, Applicants respectfully submit that the present title of the present invention is clearly indicative and properly descriptive of the invention to which the claims are directed and thus Applicants respectfully traverses the Examiner's objection to the title of the present application. Nevertheless, should the Examiner have

any suggestions as to a proposed title or how the present title could be rendered more descriptive of the claimed invention, the Examiner is respectfully requested to contact the undersigned, who will endeavor to resolve the Examiner's concerns by modifying the title of the present invention appropriately.

In the outstanding Official Action, the Examiner rejected claims 1, 2, 11, 17-19, and 25 under 35 U.S.C. § 103 (a) as being unpatentable over SEKIGUCHI et al. (United States Published Patent Application No. 2003/0086736). Applicants respectfully traverse the above-noted rejection and submit that it is inappropriate with respect to the combination of features recited in each of Applicants claims. In particular, Applicant respectfully submit that the disclosure of SEKIGUCHI et al. is inadequate and insufficient to render obvious the combination of features recited in each of Applicants pending claims.

In the outstanding Official Action, the Examiner indicated the allowability of claims 12, 13 and 26. The Examiner additionally objected to claims 3- 9, 14-16, 20-24 and 27 as being dependent upon a rejected base claim. However, the Examiner indicated that these claims would be allowable if rewritten into independent form including all of the limitations of the base claim and any intervening claims.

Applicants respectfully thank the Examiner for her indication of allowable subject matter in the above-noted claims and has rewritten claims 15 and 16 into independent form including all the limitations of claim 11, from which they previously depended, and which has now been canceled. Accordingly, at least in accordance with the Examiner's indication, Applicants respectfully submit that claims 15 and 16 are now clearly allowable.

Moreover, Applicants respectfully submit that claims 21-24 should also be indicated as allowed (rather than as objected to) since these claims depend from allowed independent claims 12 and 13.

Applicants' invention is directed to an image heating apparatus. Utilizing claim 1 as a nonlimiting example of the present invention, the image heating apparatus of the present invention includes a rotatable heat producing medium that produces heat by action of magnetic flux. A magnetic flux generator is positioned proximate to a first peripheral surface of the heat producing medium and generates magnetic flux that acts upon the heat producing medium. A magnetic flux adjuster is rotatably positioned proximate to a second peripheral surface of the heat producing medium and has a paper passage area magnetic flux adjustment unit that adjusts magnetic flux acting upon a paper passage area of the heat producing medium, and a paper non-passage area magnetic flux adjustment unit, with a different rotational phase from the paper passage area magnetic flux adjustment unit that adjusts magnetic flux acting upon a paper non-passage area of the heat producing medium, the magnetic flux adjuster continuously rotating throughout a fixing operation for each sheet of recording paper. A synchronization controller controls, for each sheet of recording paper, the timing of magnetic flux generation by the magnetic flux generator in synchronization with rotational phases of the magnetic flux adjustment units of the magnetic flux adjuster.

Because the combinations of features defined in each of Applicants pending independent claims 1 and 17, are not disclosed, taught, suggested or rendered obvious by the disclosure or teachings of the SEKIGUCHI et al. reference, Applicants respectfully

submit that the above-noted rejection is inappropriate and that the claims in the present application are clearly patentable over the prior art of record herein.

In setting forth the rejection, the Examiner asserted that SEKIGUCHI et al. discloses a magnetic flux adjustment section 6 that is "located rotatably" in the heat producing medium. The Examiner also asserted that the rotational speed of the magnetic flux adjustment section is different from the rotational speed of the heated heat producing element, but explicitly admitted that SEKIGUCHI et al. does not discuss the rotation of the adjuster.

Accordingly, it is clear from the Examiner's explicit admission that the core 6 of SEKIGUCHI et al., which the Examiner considers to be the flux adjuster, is not disclosed as "continuously rotating". Rather, as set forth in paragraph [0074] with reference to Figures 2 and 3, SEKIGUCHI et al., discloses that the core supporting member 4 takes first and second spaced angular positions. However, the core member 6 does not rotate continuously as is recited Applicants claims. Further, as explicitly set forth in paragraph [0072], the cores are capable of taking two positions as shown in Figures 4 (a) and (b) which are diametrically opposite to each other under the control of the switching control for the rotatable core supporting member.

To even more clearly emphasize and amplify the distinctions between the recitations of the claims pending in the present application and the disclosure of SEKIGUCHI et al., Applicants have now defined the magnetic flux adjuster as continuously rotating throughout a fixing operation for each sheet of recording paper. It is clear from the SEKIGUCHI et al., disclosure, that the core member 6 does not continuously rotate throughout a fixing operation for each sheet of recording paper.

Rather, as noted above, the core member is positioned in either one of two fixed positions during the fixing operation.

Additionally, since the core member of SEKIGUCHI et al., does not rotate, it is clear that the timing of magnetic flux generation cannot be synchronized with the rotational phases of the magnetic flux adjustment units of the magnetic flux adjuster, since there are no rotational phases of the core member of SEKIGUCHI et al., as noted above. Since the core member of SEKIGUCHI et al., merely moves between two fixed positions, it does not have rotational phases, as that term is commonly understood by one of ordinary skill in the art. Accordingly, SEKIGUCHI et al., also does not disclose a synchronization controller as recited in the last paragraph of Applicants claims.

In this regard, the synchronization (in other words, the control of the timing of magnetic flux generation) refers to the repeated switching of conductive and nonconductive states of the excitation coil throughout a fixing operation for each sheet of recording paper and synchronizing the switching timing with rotational phases of the magnetic flux adjuster. In this regard, the Examiner's attention is respectfully directed to aspects of the present invention disclosed starting at page 36 line 15 and extending through page 42, line 4.

As noted above, the cores of SEKIGUCHI et al., are unified with a rotatable core supporting member 4 movable between two positions spaced from each other by 180° under the control of the driving moter 20. In other words, the cores 6b and 6c merely switch between predetermined positions, but do not continuously rotate during a fixing operation, as explicitly recited in Applicants claims.

Nor does SEKIGUCHI et al., disclose changing the generation of magnetic flux by the magnetic flux generator during a fixing operation for a single sheet of recording paper.

Accordingly, the disclosure of SEKIGUCHI et al., is inadequate and insufficient with respect to numerous aspects of the Applicants invention as recited in pending claims. Thus, Applicants respectfully submits that in view of the above shortcomings, the rejection of any of the claims based upon the disclose SEKIGUCHI et al., is inappropriate and should be withdrawn. An action to such effect is respectfully requested, in due course.

The various claims depending from either independent claims 1 or 17 are submitted to be patentable over the SEKIGUCHI et al., reference of record in the present application based on their own recitations as well as based upon their dependence from a shown to be allowable independent claim. An action to such effect is respectfully requested in due course.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection asserted against the pending claims, together with an indication of the allowability thereof. Such action is respectfully requested and is now believed to be appropriate and proper.

SUMMARY AND CONCLUSION

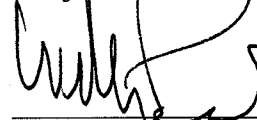
Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so. Applicants have traversed the Examiner's objection to the title and have requested the Examiner to clarify the basis for this objection and/or to suggest a more appropriate title.


Applicants have discussed the disclosure of the reference cited against the pending claims and have pointed out the shortcomings and deficiencies thereof. Applicants have additionally discussed the recitations of Applicants claims and with respect to such features, as recited in the claims, have noted the inadequacies of the cited reference. Accordingly, Applicants have provided a clear evidentiary basis supporting the patentability of all the claims pending in the present application and respectfully request an indication to such effect.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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